

EXHIBIT A

Letter from
Marc J. Randazza
to S. Jane Gari
dated Feb. 16, 2016

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Marc J. Randazza, JD, MAMC, LLM
Licensed in AZ, CA, FL, MA, NV

16 February 2016

Via Email Only

Stephanie Jane Gari
<sjanegari@gmail.com>

Re: False Rape Accusation

Dear Ms. Gari:

This law firm has been retained by Roosh Valizadeh to address some false statements of fact made in a post you made on your blog on February 9, 2016, titled Roosh Valizadeh Accused of Rape.¹

Specifically, you claim that you interviewed "Susan," an Icelandic woman who insists that Mr. Valizadeh raped her. Mr. Valizadeh denies these accusations as complete fabrications. To be clear, he is not claiming that there was an incident between "Susan" and him in which perhaps some signals were misunderstood. This story is a complete work of fiction. This raises the question of who authored this fiction. Did you create this fiction yourself, or is there indeed a "Susan?"

If there is, indeed, a "Susan," we anticipate that you will desire to protect your sources under the South Carolina shield law.² Mr. Valizadeh respects that. However, he also has the right to defend his reputation. Therefore, our client respectfully requests that if you wish to invoke your status as a journalist to protect this source, you act like a journalist and approach these unfounded claims with a degree of integrity and journalistic skepticism. If this is not "journalism," then you should admit that it is fiction, before there is further damage both to Mr. Valizadeh and to others.

We are certain that you are familiar with the UVA rape story, which after great fanfare, came to be exposed as a fabrication. I need not remind you that this fabrication made it more difficult for actual victims of sexual assault to make their claims free of doubt. By publishing a completely fabricated tale like this, you are doing a great disservice to actual victims of sexual assault – as once this story is proven false, it will be held up as yet another example of a fabricated

¹ Found at <http://www.sjanegari.com/#!Roosh-Valizadeh-Accused-of-Rape/c1ntm/56ba37d30cf2b4e0b62292e2>

² S.C. Code Ann. §19-11-100

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story. Therefore, you are not only harming Mr. Valizadeh, but you are causing harm to real victims of real sexual assault.

Mr. Valizadeh does not wish to sue you for defamation, but he will if you leave him no other option. You are well within your rights to dislike him, and to even misrepresent his position as "pro-rape." Nevertheless, if you force him to do so, he will file a claim against you. We are, however, willing to resolve this matter without going that route, if you are willing to be reasonable and responsible.

At this time, Mr. Valizadeh cannot rule out the possibility that you, yourself, invented this story, and that there is no "Susan." However, in the interest of being fair to you, for now, we will operate under the presumption that you were misled through communications with someone claiming to be "Susan," and that story so perfectly fit a narrative that you wanted to be true, that you published it without giving it even the slightest critical eye. You published this accusation without so much as reaching out to Mr. Valizadeh for a statement, and you clearly did not fact-check the accusation before publishing it.

If you truly were contacted by "Susan," we demand that you:

- (1) preserve all communications that you had with her, including all emails or other written communications;
- (2) preserve all phone records, text messages, or any other communications you had with her;
- (3) preserve all of your notes that you kept during any conversations you had with her; and,
- (4) preserve any and all data or metadata or any other information that could lead to identifying her.

We do not insist that you **provide** this information to us at this time – we merely insist that you **preserve** it. We presume that you will assert your rights under S.C. Code Ann. §19-11-100, and we do not wish to in any way prejudice your ability to do so. However, we also presume that we will be able to overcome any invocation of the shield law, and that Mr. Valizadeh will eventually be entitled to all of the preserved information. He will then use that information to press a defamation claim against this individual, provided they exist.

Mr. Valizadeh insists that both you and "Susan" (if she exists) are afforded every right to due process. However, if you destroy any of this information, either through affirmative action or through inaction, we will seek sanctions for your destruction of this evidence.

Now lets us get to the uncomfortable possibility that this story is merely a fictional tale, which sprang forth from your own mind. Even if this is the case, Mr. Valizadeh is willing to forgive you and move on. However, that resolution will require your complete public candor.

If you did fabricate this tale, and you are willing to publicly come clean within 7 days, Mr. Valizadeh is willing to waive all claims against you. This will require that you amend your post with an admission that you fabricated it. I can not imagine a more generous offer than that – simply admit that you lied, and all can be forgiven.

If you did not personally fabricate the accusations against our client, and instead relied upon this "Susan," then Mr. Valizadeh requests that you examine the communications and the story critically and admit that they came from an unreliable source. The story on its surface does not even sound credible. There is no possibility that if you examined this story with any amount of rigor, that you could believe it to be true. If you truly did receive communications from "Susan," then it is our belief that the fanciful tale so perfectly fit your chosen narrative that you published them without the slightest degree of care.³ Of course, if this is the case, Mr. Valizadeh still will hold you responsible for your journalistic malpractice, and will insist that you assist him in bringing this malicious source to justice.

Finally, Mr. Valizadeh himself does not wish to evade "justice," and is willing to face his accuser in any court. There is no reason why "Susan" could not press criminal charges against him. Further, if "Susan" does actually exist, Mr. Valizadeh hereby accuses her of lying about this incident. You might be aware that Bill Cosby was recently sued in Massachusetts and Pennsylvania by his accusers. They sued him for defamation, because he made a statement that they were lying about him sexually assaulting them. The Pennsylvania court tossed out the claims, but the Massachusetts court allowed them to stand.⁴ If "Susan" wishes to sue Mr. Valizadeh in Massachusetts for calling her a liar, Mr. Valizadeh will submit to jurisdiction there,⁵ and this letter can serve as evidence that Mr. Valizadeh has called her a liar. Mr. Valizadeh stipulates to the fact that he is calling both her a liar, and your story untrue. Therefore, if you wish to sue

³ I confess that even I have been taken in by such stories – as in the aforementioned UVA case. See Marc J. Randazza, *Should we always believe the victim?* CNN, Dec. 14, 2014 (found at <http://www.cnn.com/2014/12/05/opinion/randazza-uva-rape-allegations/>)

⁴ See Eriq Gardner, *Bill Cosby's Legal Win Points to Rupture in Judicial Reading of Defamation Law*, HOLLYWOOD REPORTER, Jan. 21, 2016 (found at <http://www.hollywoodreporter.com/lhr-esq/bill-cosbys-legal-win-points-858000>)

⁵ Asserting jurisdiction there may present some challenges for you, but Mr. Valizadeh will not challenge it himself should you or "Susan" bring a claim in Massachusetts.

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him for defamation, simply say the word and Mr. Valizadeh will publicize this accusation against you as well, giving you the opportunity to sue him for defamation. He welcomes any legal challenge with respect to this fabrication.

Alternatively, if you or "Susan" wish to sue him in South Carolina, Mr. Valizadeh will stipulate that the claims can proceed as if they were brought in Massachusetts. Mr. Valizadeh has no fear of a tribunal reviewing his actions or the veracity of these claims - as long as there is due process. Mr. Valizadeh is confident that due process will be upheld in any court in the United States.

Should you decline to comply with our client's demands, and/or decide not to file a claim against him, that will not be the end of this. If you do not retract your story within 7 days, Mr. Valizadeh will file a defamation claim against you. Therefore, you will either take full responsibility for your actions, or he will file suit. Naturally, if you or your attorney have an alternate proposal, we will afford you every courtesy if you wish to present it to us, and we will extend this deadline if we are engaged in good faith negotiations with you.

If you fabricated this story and fail to admit it within 7 days, Mr. Valizadeh will press his claims against you to the fullest extent possible under the law. If you merely relied upon lies presented by a malicious third party, Mr. Valizadeh still reserves the right to bring a claim against you, as reliance upon such an unreliable source, without seeking comment or critically examining the story amounts to a reckless disregard for the truth — and thus grounds for a claim of defamation. We await your response, and we hope that you see fit to do the just, right, and truthful thing.

Sincerely,



Marc J. Randazza